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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/788,903	02/26/2004	Thomas A. Gentles	1842.020US1	4535

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EXAMINER	
KIM, KEVIN Y	

ART UNIT	PAPER NUMBER
3714	

NOTIFICATION DATE	DELIVERY MODE
07/22/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspto@slwip.com
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Office Action Summary	Application No.	Applicant(s)	
	10/788,903	GENTLES ET AL.	
	Examiner	Art Unit	
	KEVIN Y. KIM	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 April 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4-9 and 11-43* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4-9 and 11-43* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. In view of the appeal brief filed on 4/23/2009, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

/Dmitry Suhol/

Supervisory Patent Examiner, Art Unit 3714.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-8, 10-14, 16, 18, 21-24, 26-35, and 37-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gatto (US 6,916,247) in view of Day II (US 2002/0046260 A1).

4. In re claim 1, Gatto discloses a system providing a gaming network environment, the system comprising:

a plurality of gaming machines (figure 1) communicably coupled to a gaming network (figure 1, 102), wherein in response to a wager at a gaming machine of the plurality of gaming machines the gaming machine depicts indicia representative of a randomly selected outcome of a wagering game (column 5, lines 37-60, games of chance are well known to contain randomly selected outcomes, such as the results of a slot machine); and

at least one service provider communicably coupled to the gaming network, said service provider operable to provide a service to one or more of the plurality of gaming machines (figure 19, 112, column 15, lines 57-60);

a discovery agent communicably coupled to the gaming network (column 15, lines 53-56, the UDDI node must communicate with the network in order for the node to receive data from service providers regarding their services), the discovery agent operable to:

receive service information from the service provider (column 15, lines 57-58);

wherein the gaming machine issues a request for the location of the service to the discovery agent and use the service information received from the discovery agent to issue a registration request to register the gaming machine with the service (column

17, lines 40-43); and

wherein the service provider is operable to:

receive a registration request for the service from the gaming machine (column 17, lines 40-43). As the gaming machines are each connected to and associated with the server, it is a well known feature in the art that there are communications between two network entities which could be considered "registration requests," e.g. ACK-NACK signals, lease requests for an IP address, etc. Thus, it is inherent that such a gaming machine being connected to and associated with the gaming server requires a registration request. Furthermore, reference is made to "service requesters" (column 15, lines 57-58). Thus, the service provider receives the request.

receive a request for the service (see above); and

respond to the request for the service, said registration request, request for the service and response formed using internetworking protocols (column 2, lines 55-58).

However, Gatto is silent on determining if the service provider is authentic and authorized for the gaming network, and a discovery service being operable to do the authentication and authorization. Day teaches a discovery agent (figure 2, 202) which works in conjunction with a communication, simple file transfer, and remote execution service. All services are in communication with each other and include features such as authorization services (paragraphs [0052], [0055], and [0058]-[0059]). Since all the services put together make up the network management service (paragraph [0052]), the discovery agent thus includes authorization/authentication services. These services authorize/authenticate files to be executed (paragraph [0055]). These files are provided

by a service (figure 9, server provides to client), and thus, the network management service is authorizing a service provided by a service provider.

It would have been obvious to one skilled in the art at the time the invention was made to combine the authorization process of Day with the gaming methods of Gatto in order to prevent unauthorized access by malicious users and/or viruses while providing the predictable result of authorizing and authenticating files/services.

5. In re claim 2, Gatto discloses a web services provider and the internetworking protocols comprise web services internetworking protocols (column 15, lines 50-56, column 16, lines 15-22).

6. In re claim 4, Gatto discloses a boot service (figure 18: boot and game software image, column 4, lines 60-65 and column 18, lines 39-54).

7. In re claim 5, Gatto discloses a gaming management service (column 19, lines 37-38).

8. In re claim 6, Gatto discloses providing configuration data (column 3, lines 15-20 and column 7, lines 7-9).

9. In re claim 7, Gatto discloses an accounting service (column 10, lines 36-38).

10. In re claim 8, Gatto discloses an authentication service (column 10, lines 55-60, column 16, lines 28-33).

11. In re claim 11, Gatto discloses an event management service (column 2, lines 42-45 and column 11, lines 44-48).

12. In re claim 12, Gatto discloses a gaming software update service (column 15, lines 20-30).

13. In re claim 13, Gatto discloses a message director service (column 15, lines 63-67).

14. In re claim 14, Gatto discloses a content integrity service (column 10, lines 59-60 and column 16, lines 43-45).

15. In re claim 16, Gatto discloses a mobile gaming device location service (column 2, lines 53-54; if the gaming device is mobile, its location needs to be determined in order for the network to communicate with it).

16. In re claim 18, Gatto discloses a player tracking service (column 6, lines 4-44).

17. In re claim 21, Gatto discloses a cashless transaction service (column 9, lines 47-50).

18. In re claim 22, Gatto discloses a bonusing service (column 11, lines 14-16).

19. In re claim 23, Gatto discloses a game outcome service (column 10, lines 33-35; a win is a game outcome).

20. In re claim 24, Gatto discloses an advertising service (column 6, lines 6-7).

21. In re claim 26, Gatto discloses a services description language protocol layer (column 15, lines 52-54).

22. In re claim 27, Gatto discloses the services description language protocol layer is a version of the WSDL web services description language protocol (column 15, lines 52-54).

23. In re claim 28, Gatto discloses a service discovery protocol layer (column 16, lines 17-18 and column 15, lines 52-54).

24. In re claim 29, Gatto discloses the UDDI protocol layer (column 15, lines 52-54).

25. In re claims 30 and 37, see rejection for claim 1. As disclosed by the applicant, claims 30 and 37 recite similar elements to claim 1.

26. In re claims 31 and 38, Gatto discloses a web service (column 15, lines 50-56 and column 16, lines 15-22).

27. In re claims 32 and 39, Gatto discloses using a service description language (column 15, lines 52-54).

28. In re claims 33 and 40, Gatto discloses WSDL (column 15, lines 52-54).

29. In re claims 34 and 41, Gatto discloses publishing the service, including registering the service with a registry (column 15, lines 60-67).

30. In re claims 35 and 42, Gatto discloses a UDDI registry (column 15, lines 60-67).

31. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gatto and Day in view of Barnes (US 2003/0065805).

Gatto has been discussed above, but fails to disclose the mobile gaming device location service being a GPS based service. Barnes teaches a GPS based service in a mobile gaming device (paragraphs [0097] and [0439]). It would have been obvious to one skilled in the art at the time the invention was made to include a GPS based service in order to locate the position of the gaming device so that a user can gamble in a jurisdiction where gambling is legal.

32. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gatto and Day in view of Murata (US 2002/0013174).

Gatto has been discussed above, but is silent on a personalization service. Murata teaches such a service (paragraph [0047]). Thus, it would have been obvious to one skilled in the art at the time the invention was made to include the personalization service in order to customize the game playing experience and enhance user interactivity.

33. Claims 36 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gatto and Day in view of Barnes.

Gatto has been discussed above, but does not teach the service being located with a URL. Barnes teaches a service that is located using a URL (paragraph [0082]). It would have been obvious to one skilled in the art at the time the invention was made to include a URL in order to locate the service on the internet. Furthermore, it is well known in the art that services on the internet are accessed by their URL through a web browser.

34. Claims 9, 15, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gatto and Day in view of Wynn (US 5,971,271).

35. In re claim 9, Gatto has been discussed, but is silent on the service comprising an authorization service. Wynn discloses such a service (column 7, lines 30-35). Thus, it would have been obvious to one skilled in the art at the time the invention was made to implement an authorization service in order to give the player an incentive to join the casino as a member in order to use the casino's services.

36. In re claim 15, Gatto discloses the above except for a progressive gaming service, which Wynn teaches (column 1, lines 45-50). Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to include the progressive gaming service in order to provide an incentive for the player to play at progressive slot machines for a chance at a large jackpot.

37. In re claim 25, Gatto discloses the invention except for the service comprising a property management service. Wynn discloses this limitation (column 2, lines 35-45). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the aforementioned limitation in order to make it more convenient for the player to make reservations from the gaming machine, allowing more play at the gaming machine while reducing interruptions.

38. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gatto and Day in view of Weiss (US 2007/0060381).

Gatto discloses much of the invention, but is silent on a game theme location service. Weiss teaches this service (abstract and paragraphs [0007], [0011], and [0026]). Thus, one skilled in the art would find it obvious at the time the invention was made to include a game theme location service in order to locate and play a game with a particular theme, being an obvious design choice yielding predictable results.

39. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gatto and Day in view of Nelson (US 6,935,958).

Gatto discloses much of the invention, but is silent on a game theme location service. Nelson teaches this service (column 12, lines 30-65). Thus, one skilled in the art would find it obvious at the time the invention was made to include a game theme location service in order to locate and play a game with a particular theme, being an obvious design choice yielding predictable results.

Response to Arguments

40. Regarding appellant's arguments on pages 13-14 regarding claims 1, 30, and 37, the argument that Gatto does not disclose any mechanism for a discovery agent to obtain service information is moot, as appellant has admitted such functionality is known in the art (see line 3 of page 14).

Regarding arguments on page 14 stating that Goldberg teaches authorization of a user, not a service, the arguments are persuasive. However, a new rejection has been made in view of Day II.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KEVIN Y. KIM whose telephone number is (571)270-3215. The examiner can normally be reached on Monday-Thursday, alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 571-272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dmitry Suhol/
Supervisory Patent Examiner, Art Unit 3714

/Kevin Y Kim/
Examiner, Art Unit 3714